IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRI.WRIT PETITION NO. 2096 OF 2004.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri D.U.Mirajkar with Ms.Alpa Javeri for the petitioner.

Shri Shirish Gupte with Shri D.N.Salvi for respondent 1.

Mrs.U.V.Kajriwal, A.P.P. for the State.

CORAM : SMT.RANJANA DESAI, &
ABHAY S.OKA, JJ.

DATED : 2nd December 2004.

P.C.:

1. Heard Shri Mirajkar, the learned Counsel for the petitioner and Shri Gupte, learned Counsel for respondent 1.

2. The main grievance made by the petitioner is that in view of the enactment of the Foreign Exchange Management Act, 1999, the petitioner cannot be prosecuted under the Customs Act. We are informed that the investigation is in progress. We are, therefore, of the opinion that the present petition is premature. Leaving all questions and remedies open to the petitioner, we dismiss the petition.

3. We note that the petitioner Shri Vashdev Gobindram Adnani is present in Court.

(Smt.Ranjana Desai, J.)

(Abhay S.Oka, J.)